



***Division of Public Defender Services
State of Connecticut***

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HUMAN SERVICES COMMITTEE
FEBRUARY 14, 2013

TESTIMONY OF CHRISTINE RAPILLO
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DIVISION OF PUBLIC DEFENDER SERVICES

RAISED BILL 6369, AN ACT CONCERNING CHILD SUPPORT AND ENFORCEMENT

Section 6 of Raised Bill 6369, An Act Concerning Child Support and Enforcement would add Judicial Marshals to the list of state agents who are authorized to serve capias orders on contempt findings for failure to pay child support. The Office of Chief Public Defender opposes this particular proposal unless this agency is provided with a sufficient increase in our budget allocation to cover the cost of standby counsel in all judicial districts.

A capias is essentially an order that allows a person to be taken into custody and brought before a judge to answer for failing to pay court ordered child support. Indigent contemnors are represented by court appointed counsel under contract to the Office of Chief Public Defender. Increasing the number of officials authorized to serve such orders will increase the number of respondents who are brought to court outside the regular schedule for family support magistrate court. This will result in a potentially significant increased cost to the Division of Public Defender Services.

The Office of Chief Public Defender contracts with attorneys to appear in court on the days that the magistrate is scheduled to sit. The pay rate does not anticipate that they will regularly have to appear on other days. These are all attorneys in private practice with a caseload outside the contract work with OCPD. When a capias is executed on a different day, the court or our office must find an attorney who is willing to show up to represent the incarcerated contemnor. This is generally paid at a rate outside the contract. We are already having issues providing coverage in Middletown, where support enforcement officers have been executing capias orders in the criminal



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lock up and bringing the accused before a family court judge. As the Legislature looks for ways to increase payment of child support orders, this office asks that you also be mindful that there is a cost to the state agencies who handle the process. Because of the anticipated cost, The Office of Chief Public Defender is opposed to passage of this section of the proposed bill as drafted.